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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD), the Arab Organization for
Human Rights, non-governmental organizations in special
consultative status, the International Educational
Development, Inc., the World Peace Council, non-
governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.


[16 May 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The Syrian Tragedy Continues*

Introduction

The situation in the Syrian Arab Republic (hereinafter Syria) has called the world's attention, and international coalitions, non-governmental agencies and international institutions – led by the United Nations – have intervened and taken action to alter the course of the six-year-long massacre. Unfortunately, to date, it seems that no action has been effective enough to halt the fighting, interrupt the advance of violent terrorism, and reduce the dramatically high number of civilian casualties. So far, conflicting interests, diverse strategies and different priorities have hindered the ability of international institutions to take effective action to pose an end to the war.

All relevant bodies of the United Nations have taken steps and adopted resolutions to promote a peaceful settlement of the conflict and to protect civilians. Since 2011, the Human Rights Council has adopted over twenty resolutions condemning the grave human rights violations occurring in the country, an Independent Commission of inquiry on the Syrian Arab Republic has been set up, and a special session has been called on October 2016 to discuss the deteriorating situation in Eastern Aleppo. The General Assembly and the Security Council have been active in this regard as well, but the disagreement among the Permanent Five members has hindered the ability of the United Nations to take decisive and definitive measures to alter the course of the fighting. As such, millions of Syrians have lost faith in the international community and feel abandoned to their dire fate.

After six years of war, Syria is on the verge of collapse: the once beautiful streets of Damascus and Aleppo are now covered in blood and rubbles, over 400,000 civilians have been killed, and millions are internally displaced or have sought refuge in neighbouring countries. The infrastructures have collapsed, most medical facilities have been hit by airstrikes and barrel bombs, and the economic development of the country has been dangerously compromised. Men, women, and children have suffered grave physical and psychological traumas, and the international response has not been sufficient to meet all their needs.

Legal guidelines for successful negotiations

During the last rounds of peace talks held in Geneva and Astana, Mr. Staffan de Mistura, Special Envoy for the Syrian Arab Republic, repeatedly noted that the peace process needs to be inclusive and all-encompassing. Failing to address the needs and listen to the voices of all stakeholders, including rebel groups, women and minority groups, will only lead to partial and fragile settlements.

The United Nations has provided an appropriate ground and a legal framework for the peace talks to take place. In this regard, Mr. De Mistura insisted the peace process should follow the guidelines set out in Security Council Resolution 2254, namely:

OP2. Requests the Secretary-General, through his good offices and the efforts of his Special Envoy for Syria, to convene representatives of the Syrian government and the opposition to engage in formal negotiations on a political transition process on an urgent basis, with a target of early January 2016 for the initiation of talks, pursuant to the Geneva Communiqué, consistent with the 14 November 2015 ISSG Statement, with a view to a lasting political settlement of the crisis;

OP4. Expresses its support, in this regard, for a Syrian-led political process that is facilitated by the United Nations and, within a target of six months, establishes credible, inclusive and non-sectarian governance and sets a schedule and process for drafting a new constitution, and further expresses its support for free and fair elections, pursuant to the new constitution, to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability, with all Syrians, including

members of the diaspora, eligible to participate, as set forth in the 14 November 2015 ISSG Statement;

In line with the guiding principles set out in OP2 and OP4, the last rounds of peace talks have focused on governance, on the drafting of a new constitution, on counter-terrorism strategies and on the holding of elections as the basis for a Syrian-led, Syrian-owned process to end the conflict. However, despite an intensification of the negotiations during the months of March and April 2017, there has been no concrete and substantial progress towards the resolution of the conflict and the recent attacks have been among the most concerning and deadly ones, and have perilously affected the positive momentum.

While the United Nations – in particular the Security Council – has the duty of taking action to halt mass atrocities, wars, and human rights violations, all efforts are useless and vain if the parties involved in the conflict do not agree to come to terms and stop boycotting all peace attempts.

Violent acts that hinder the achievement of peaceful settlements

The effective and constructive development of the peace process continues to be hindered by deadly and horrific attacks. For instance, on April 4, 2017, rebel-held civilian neighbourhoods in Southern Idlib and Northern Hama were hit by a series of suspected chemical attacks which killed approximately 70 to 100 people in the city of Khan Shikhoun, including 11 children. More than 500 people were injured, and the Rahma (Mercy) hospital in Darkush where civilians were taken to be treated – and the last one in the region – was targeted by barrel bombs few hours later.

The use of chemical weapons during the Syrian conflict had been previously documented and, despite the calls of the international community, the use of chemicals has continued – thus increasing the number of laws and resolutions violated by the Syrian conflict. In fact, the use of chemical weaponry breaches the provisions contained in the Chemical Weapons Convention and violates UN Security Council resolution 1540 (2004)¹ deciding that “all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery,” particularly for terrorist purposes; 2118 (2013)² endorsing the expeditious destruction of Syria’s chemical weapons programme; 2209 (2015)³ condemning the use of chlorine gas as a weapon in Syria; and 2235 (2015)⁴ establishing a mechanism to identify perpetrators using chemical weapons in Syria.

Following the attack, Mr. De Mistura declared “every time we have a conference or a meeting or something that can give some hope or some perception of hope about the future of Syria, there is a temptation by some, through horrific acts, to kidnap the event, divert it to send some form of cruel statement, not so much to us, but to the people of Syria.” Such temptation has led to another devastating and horrific attack on April 15, only few days later the chemical attack in Idlib. On that date, a suicide car bomber killed over 100 people, including 60 children, and wounded over 200 on a crowded bus convoy outside Aleppo. The convoy was carrying at least 5,000 people including civilians and several hundred pro-government fighters, who were granted safe passage out of two villages that had been besieged by the rebels for over three years.

Continuous attacks on civilian-inhabited areas and on humanitarian convoys have a dire impact on the peace process. While building trust between the parties requires time and constant efforts from all stakeholders – including the United Nations – one single attack has the power to dismantle the fragile results achieved after months of negotiations.

¹ Security Council Resolution 1540 (2004), available at [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1540%20\(2004\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1540%20(2004))

² Security Council Resolution 2118 (2013), available at [http://undocs.org/S/RES/2118\(2013\)](http://undocs.org/S/RES/2118(2013))

³ Security Council Resolution 2209 (2015), available at [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2209%20\(2015\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2209%20(2015))

⁴ Security Council 2235 (2015), available at [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2235\(2015\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2235(2015))

Recommendations

We, NGOs Signatories to this statement recommend to the United Nations and its relevant bodies to:

- Continue to provide a legal and institutional framework as well as an appropriate ground for the progress of the peace talks;
- Pressure all parties involved in the conflict to abide by their international obligations and to avoid targeting civilian-inhabited areas;
- Promote inclusive, comprehensive, Syrian-led negotiations and ensure that women and minority groups are included in the decision-making and reconstruction process;
- Pressure all parties involved to respect ceasefires and to halt all attempts to boycott the smooth proceeding of the peace talks;
- Urge all parties involved to immediately cease hostilities and violence and to constructively engage in peaceful negotiations;
- Urge the Syrian government to ensure that adequate reparation and redress is provided to all victims – including the relatives of victims of torture, killing and arbitrary detention – and that perpetrators are held accountable; and
- Assist the Syrian government in the creation of adequate Transitional Justice mechanisms to allow the transition to a peaceful and inclusive society.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, Human Rights Defenders (HRD), The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), The Iraqi Centre for Human Rights, The International League of Iraqi Academics (ILIA), Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), NGOs without consultative status, also share the views expressed in this statement.